



Docket No.: 532/3 (F-299)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Zubok et al.

Application No.: 10/688,632

Group Art Unit: 3738

Filed: October 17, 2003

Examiner: Not Assigned

For: **INSTRUMENTATION AND METHODS FOR
USE IN IMPLANTING A CERVICAL DISC
REPLACEMENT DEVICE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

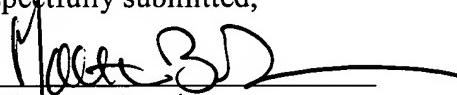
Dear Sir:

In the matter of the above-identified application, enclosed please find:

1. Substitution of Attorneys Pursuant to 37 C.F.R. § 1.36; and
2. Consent of Assignee 37 C.F.R. § 3.73(b).

Dated: February 6, 2004

Respectfully submitted,

By 

Matthew B. Dernier

Registration No.: 40,989

KAPLAN & GILMAN, LLP
900 Route 9 North, Suite 104
Woodbridge, New Jersey 07095
(732) 634-7634

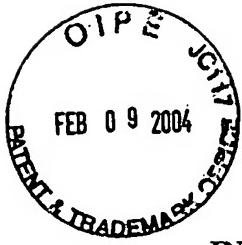
Attorney for Applicant

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: February 6, 2004

Signature: 

Print Name: Matthew B. Dernier



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**SUBSTITUTION OF ATTORNEYS
PURSUANT TO 37 C.F.R. § 1.36**

Dear Sir:

We hereby appoint the following practitioners as our attorneys to prosecute the application and to transact all business in the United States Patent and Trademark Office connected therewith: Joseph P. Errico (Reg. No. 38,131); Timothy J. Bortree (Reg. No. 43,506); Jeffrey I. Kaplan (Reg. No. 34,356); Michael R. Gilman (Reg. No. 34,826); Timothy X. Gibson (Reg. No. 40,618); and Matthew B. Dernier (Reg. No. 40,989).

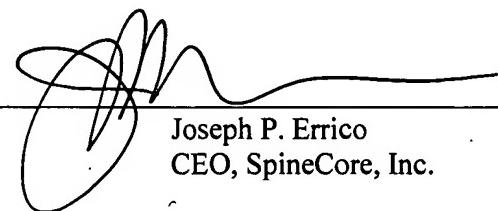
All future correspondence should be forwarded to:

KAPLAN & GILMAN, L.L.P.,
900 Route 9 North, Woodbridge, New Jersey 07095
telephone (732) 634-7634

We are the assignee of record of the entire interest and therefore have the right to take action in the above-identified application. A Statement under 37 C.F.R. § 3.73(b) is enclosed.

2/5/04

Date



Joseph P. Errico
CEO, SpineCore, Inc.



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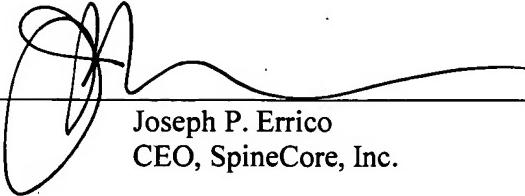
CONSENT OF ASSIGNEE 37 C.F.R. § 3.73(b)

Dear Sir:

Pursuant to 37 C.F.R. § 3.73, I, Joseph P. Errico, being an officer of SpineCore, Inc., the Assignee of the above-identified patent application by way of assignment (a copy of which is attached), hereby consent to a substitution of all previous powers of attorney and to the appointment of new attorneys in the above-identified patent application.

2/5/04

Date



Joseph P. Errico
CEO, SpineCore, Inc.



ASSIGNMENT OF APPLICATION

Docket Number (Optional)

F-299

Whereas, I/We, Rafail Zubok; of Midland Park, NJ, hereafter referred to as applicant, have invented certain new and useful improvements in Instrumentation and Methods for use in Implanting a Cervical Disc Replacement Device

for which an application for a United States Patent was filed on _____
Application Number / _____

for which an application for a United States Patent was executed on 10/17/2003, and

Whereas, SpineCore, Inc. of Summit, NJ herein referred to "assignee" whose mailing address is 447 Springfield Avenue, Summit, NJ 07931 is desirous of acquiring the entire right, title and interest in the same;

Now, therefore, in consideration of the sum of one dollar (\$1.00), the receipt whereof is acknowledged, and other good and valuable consideration, I/We, the applicant(s), by these presents do sell, assign, and transfer unto said assignee the full and exclusive right to the said invention and the entire right, title and interest in and to any and all Patents which may be granted therefor. I/We hereby authorize and request that said Patent be issued to said assignee, of the entire, right, title and interest in and to the same, for his sole use and behoof, and for the use and behoof of his legal representatives, to the full end of the term for which said Patent may be granted, as fully and entirely as the same would have been held by me had this assignment and sale not been made.

Executed this 17th day of October, 20 03.
at Midland Park, NJ

(Signature)

State of _____) SS:
County of _____)

Before me personally appeared said _____
and acknowledged the foregoing instrument to be his free act and deed this _____
day of _____, 20 _____.

Seal

(Notary Public)

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below*.

* Total of 3 forms are submitted.

**ASSIGNMENT OF APPLICATION**

Docket Number (Optional)

F-299

Whereas, I/We, Michael W. Dudasik; of Nutley, NJ, hereafter referred to as applicant, have invented certain new and useful improvements in Instrumentation and Methods for use in Implanting a Cervical Disc Replacement Device

for which an application for a United States Patent was filed on _____
Application Number _____ / _____

for which an application for a United States Patent was executed on 10/17/2003, and

Whereas, SpineCore, Inc. of Summit, NJ herein referred to "assignee" whose mailing address is 447 Springfield Avenue, Summit, NJ 07931 is desirous of acquiring the entire right, title and interest in the same;

Now, therefore, in consideration of the sum of one dollar (\$1.00), the receipt whereof is acknowledged, and other good and valuable consideration, I/We, the applicant(s), by these presents do sell, assign, and transfer unto said assignee the full and exclusive right to the said invention and the entire right, title and interest in and to any and all Patents which may be granted therefor. I/We hereby authorize and request that said Patent be issued to said assignee, of the entire, right, title and interest in and to the same, for his sole use and behoof, and for the use and behoof of his legal representatives, to the full end of the term for which said Patent may be granted, as fully and entirely as the same would have been held by me had this assignment and sale not been made.

Executed this 17th day of October, 2003.
at Nutley, NJ

(Signature)

State of _____

SS:

County of _____

Before me personally appeared said _____
and acknowledged the foregoing instrument to be his free act and deed this _____
day of _____, 20 _____.

Seal

(Notary Public)

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below.

* Total of 3 forms are submitted.



ASSIGNMENT OF APPLICATION		Docket Number (Optional) F-299
<p>Whereas, I/We, Joseph P. Errico of Green Brook, NJ, hereafter referred to as applicant, have invented certain new and useful improvements in Instrumentation and Methods for use in Implanting a Cervical Disc Replacement Device</p> <p><input type="checkbox"/> for which an application for a United States Patent was filed on _____ Application Number _____ / _____.</p> <p><input checked="" type="checkbox"/> for which an application for a United States Patent was executed on 10/17/2003, and</p> <p>Whereas, SpineCore, Inc. of Summit, NJ herein referred to "assignee" whose mailing address is 447 Springfield Avenue, Summit, NJ 07931 is desirous of acquiring the entire right, title and interest in the same;</p> <p>Now, therefore, in consideration of the sum of one dollar (\$1.00), the receipt whereof is acknowledged, and other good and valuable consideration, I/We, the applicant(s), by these presents do sell, assign, and transfer unto said assignee the full and exclusive right to the said invention and the entire right, title and interest in and to any and all Patents which may be granted therefor. I/We hereby authorize and request that said Patent be issued to said assignee, of the entire, right, title and interest in and to the same, for his sole use and behoof, and for the use and behoof of his legal representatives, to the full end of the term for which said Patent may be granted, as fully and entirely as the same would have been held by me had this assignment and sale not been made.</p> <p>Executed this 17th day of October, 2003. at Green Brook, NJ</p> <p>State of _____) County of _____) SS: Before me personally appeared said _____ and acknowledged the foregoing instrument to be his free act and deed this _____ day of _____, 20 _____. Seal (Notary Public) Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below. * <input checked="" type="checkbox"/> Total of 3 forms are submitted.</p>		